

DOCKET NO: 214182US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

TSUNAYUKI OWA

SERIAL NO: 09/961,375

FILED: SEPTEMBER 25, 2001

FOR: COMMUNITY SERVICE  
OFFERING APPARATUS, COMMUNITY  
SERVICE OFFERING METHOD,  
PROGRAM STORAGE MEDIUM, AND  
COMMUNITY SYSTEM

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: EXAMINER: FISCHETTI, J.A.

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: GROUP ART UNIT: 3627

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RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated June 17, 2004, Applicants in the above-identified patent application provisionally elect Group I, Claims 1-8 and 25 drawn to a fee based network.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be of an overlapping search area.

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Response to Restriction Requirement dated June 17, 2004

Accordingly, Applicants respectfully **traverse** the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

However, if the present Restriction Requirement is not withdrawn, examination on the merits of the Claims of Group I is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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(OSMMN 06/04)

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